

Translation

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PATENT COOPERATION TREATY

PCT/JP2003/007359



# PCT

## INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference 324-F-PCT	<b>FOR FURTHER ACTION</b> See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/JP2003/007359	International filing date (day/month/year) 10 June 2003 (10.06.2003)	Priority date (day/month/year) 19 June 2002 (19.06.2002)
International Patent Classification (IPC) or national classification and IPC H01L 33/00		
Applicant SANKEN ELECTRIC CO., LTD.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 4 sheets, including this cover sheet.
- ☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).

These annexes consist of a total of \_\_\_\_\_ sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 11 November 2003 (11.11.2003)	Date of completion of this report 03 August 2004 (03.08.2004)
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

# INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.  
PCT/JP2003/007359

## I. Basis of the report

### 1. With regard to the elements of the international application:\*

- ☐ the international application as originally filed
- ☒ the description:  
 pages 1-4, 7-19, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages 5, 6, 6/1, filed with the letter of 30 March 2004 (30.03.2004)
- ☒ the claims:  
 pages 2, 8, 11-12, 16-18, 20, as originally filed  
 pages \_\_\_\_\_, as amended (together with any statement under Article 19  
 pages \_\_\_\_\_, filed with the demand  
 pages 1, 4-7, 9-10, 13, 15, 19, 21, filed with the letter of 30 March 2004 (30.03.2004)
- ☒ the drawings:  
 pages 1-17, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_
- ☐ the sequence listing part of the description:  
 pages \_\_\_\_\_, as originally filed  
 pages \_\_\_\_\_, filed with the demand  
 pages \_\_\_\_\_, filed with the letter of \_\_\_\_\_

### 2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language \_\_\_\_\_ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

### 3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

### 4. ☒ The amendments have resulted in the cancellation of:

- ☐ the description, pages \_\_\_\_\_
- ☒ the claims, Nos. 3, 14
- ☐ the drawings, sheets/fig \_\_\_\_\_

### 5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).\*\*

\* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rule 70.16 and 70.17).

\*\* Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

**V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement****1. Statement**

Novelty (N)	Claims	1-2, 4-13, 15-21	YES
	Claims		NO
Inventive step (IS)	Claims	11-13, 15-20	YES
	Claims	1-2, 4-10, 21	NO
Industrial applicability (IA)	Claims	1-2, 4-13, 15-21	YES
	Claims		NO

**2. Citations and explanations**

- Document 1: JP 2002-94122 A (Matsushita Electric Works, Ltd.), 29 March 2002, entire text, all drawings
- Document 2: JP 2000-77725 A (Citizen Electronics Co., Ltd.), 14 March 2000, entire text, all drawings
- Document 3: JP 2000-261041 A (Citizen Electronics Co., Ltd.), 22 September 2000, entire text, all drawings
- Document 4: JP 11-340517 A (Sanken Electric Co., Ltd.), 10 December 1999, entire text, all drawings
- Document 5: JP 2001-345482 A (Toshiba Corp.), 14 December 2001, entire text, all drawings
- Document 6: JP 52-70783 A (Tokyo Shibaura Electric Co., Ltd.), 13 June 1977, entire text, all drawings
- Document 7: JP 55-135469 U (NEC Corp.), 26 September 1980, entire text, all drawings
- Document 8: JP 1-309201 A (Mitsubishi Cable Ind., Ltd.), 13 December 1989, entire text, all drawings
- Document 9: JP 60-103841 U (Sony Corp.), 15 July 1985
- Document 10: JP 9-7409 A (Nichia Corp.), 10 January 1997, paragraphs [0004] to [0008], fig. 1
- Document 11: JP 11-214754 A (Rohm Co., Ltd.), 06 August

1998, paragraphs [0005] to [0006] and [0016] to [0017], fig. 1

Documents 1-2 disclose metal support plates.

Documents 3-5 disclose configurations for a reflective reflector and a lens unit.

Document 6 discloses recessed areas that correspond to the fine lead lines.

Document 7 lays open a notched structure that is provided to a reflecting unit.

Document 8 discloses a flat area that is provided to a reflector.

Document 9 discloses a light-emitting device that comprises a metal seat and a hollow structure.

Document 10 discloses a configuration wherein the light emitting element is not sealed with a resin.

Document 11 makes disclosures pertaining to the deterioration of the sealing resin.

The invention set forth in claims 1-5 and 21 has a configuration that could have been designed by a person skilled in the art, as necessary, by combining the well-known features that are disclosed in documents 1-5 and 9-11, and a person skilled in the art could configure so that the interior of the reflector is hollow, as necessary.

The invention set forth in claims 6-10 is a production method wherein the invention that is set forth in claim 1 is simply formed by means of a well-known transfer molding method, which could be employed by a person skilled in the art, as necessary.

The inventions set forth in claims 11-20 are not disclosed in documents 1-11, and are not considered to be obvious to a person skilled in the art.